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## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Docket Number (Optional) 23242-1020

In re Application of:	David Hertz
Application No.:	10/646,401

Filed: For:

August 22, 2003

ADAPTIVE DYNAMIC RANGE RECEIVER FOR MRI

The owner\*, Fonar Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,621,433 B1 ... The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. X The undersigned is an attorney or agent of record.

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Signature Date

Brandon N. Sklar Reg No. 31,667

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X Terminal disclaimer fee under 37 CFR 1.20(d) included. (Authorization to charge to Deposit Account 50-0988)

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(2/15/2004 WABDELR1 00000066 500988 10646401

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Atty. Docket No.: 31592-1002

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SIA	TEMENT UNDER 37 CFR 3.73(D)
Applicant/Patent Owner: David Hertz	
Application No./Patent No.: 10/646,401	
Entitled: ADAPTIVE DYNAMIC RANGE RECE	EIVER FOR MRI
	, a Corporation
Name of Assignee)	(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)
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an assignee of less than the entire right, The extent (by percentage) of its owners In the patent application/patent identified above	thip interest is ————— %
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The undersigned (whose title is supplied below	v) is authorized to act on behalf of the assignee.
11/23/04	Dr. Raymond V. Damadian
631-694-2929	Typed or printed name .
Telephone number	Signature
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